

March 19, 2014

Office of the General Counsel
Federal Elections Commission
999 E. Street NW
Washington, D.C. 20463

MUR # 6799

RECEIVED

2014 MAR 24 AM 11:47

OFFICE

FEC MAIL CENTER

Re: Complaint against Frank Scaturro for Congress (C00465054), Treasurer John F. Craven & Mr. Frank Scaturro

Dear Acting General Counsel:

This correspondence constitutes yet another formal complaint filed with the Federal Election Commission ("FEC") pursuant to 11 CFR 110. It involves Frank Scaturro for Congress (C00465054), Mr. Frank Scaturro and Committee Treasurer John F. Craven.

Based upon information and belief, set forth below and in the attached materials, I am filing this complaint seeking an immediate investigation by the Federal Election Commission ("FEC" or "Commission") into Frank Scaturro for Congress (C00465054), Mr. Frank Scaturro and Committee Treasurer John F. Craven for blatant disregard for federal law and the requirement that political committees must include a "clear and conspicuous" disclaimer on all public communications.

Furthermore, attempts at compliance with this regulation fall short of the law; the one location of a disclaimer in a fundraising invitation (*enclosed* – Exhibit "A") does not comply with 11 C.F.R. § 110.11(c)(2)(i) in that the disclaimer is not "contained in a printed box set apart from the other contents of the communication."

LEGAL ANALYSIS

In addition to a Complaint I filed with the Federal Elections Commission dated March 13, 2014 and received by your office on March 18, 2014, Frank Scaturro for Congress continues to blatantly ignore federal disclaimer requirements for printed materials as delineated in 11 C.F.R. § 110.11(b).

The attached e-mailed sent by Scaturro for Congress staff member Kathie Dito (*enclosed* – Exhibit "A"), who is also listed as the contact for the event on the Scaturro for Congress website (*enclosed* - Exhibit "B"), expressly advocates for the election of Frank Scaturro to Congress. As such, it is required to contain a disclaimer identifying the sponsor of the communication, and whether it was authorized by any candidate or candidate's committee. Indeed, the FEC regulation contains an entire section specifically dedicated to the disclaimer requirements for printed materials.

Similarly, FEC publications, such as the Commission's *Special Notice on Political Ads and Solicitations*, clearly note that the "FEC recommends placing disclaimer notices on all campaign materials."

The bulk electronic e-mail invitation includes no disclaimer. (*enclosed* - Exhibit "A") No FEC-required disclaimer exists on either the image of the fundraising solicitation or on the bottom of the campaign's mass e-mail which I believe to have been sent to more than the 500 individuals threshold.

Similarly, the fundraiser invitation posted on the Frank Scaturro for Congress website also does not contain any disclaimer; only the bottom of the website fulfills the federal regulation.

Frank Scaturro for Congress, Committee Treasurer John F. Craven and Mr. Frank Scaturro have now violated federal law an additional two times – via their unlawful mass e-mail sent without a disclaimer on the invitation and their mass e-mail communication sent without any disclaimer on the bottom to show who paid for the bulk e-mail itself. Furthermore, no disclaimer exists on the fundraising invitation posted on the official Frank Scaturro for Congress website.

CONCLUSION

Frank Scaturro for Congress (C00465054), Mr. Frank Scaturro and Committee Treasurer John F. Craven continue to purposefully flout the law or are ignorant as to the federal requirements issued by the Federal Elections Commission. They believe that they can continue taking shortcuts to make-up for the lack of demonstrable local support towards this third vanity Congressional bid attempt. Both Mr. Scaturro and his federal campaign committee are desperate to seek funds and any support, and so they simply opted to ignore federal law, and not identify themselves as required by FEC disclaimer regulations.

Accordingly, I respectfully request that the Federal Election Commission conduct a thorough investigation on an expedited basis into the violations outlined above and enter into a prompt conciliation with Frank Scaturro for Congress (C00465054), Mr. Frank Scaturro and Committee Treasurer John F. Craven to remedy the violations that are found and to ensure that these violations immediately cease and do not reoccur.

The above is correct and accurate to the best of my knowledge, information, and belief.

COMPLAINANT VERIFICATION

I, AVI Z. FERTIG, am a registered voter in New York's 4th Congressional District and reside at Woodmere, NY 11598. I hereby verify and affirm that the statements made in the attached Complaint are, upon my belief, true.

AVI Z. FERTIG

DATE

3/19/14

ACKNOWLEDGEMENT

STATE OF NEW YORK)

SS.:

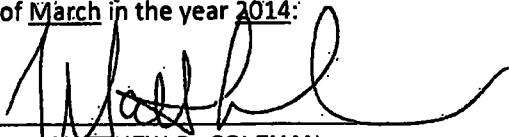
COUNTY OF NASSAU)

On the 19th day of March in the year 2014 before me, the undersigned, personally appeared AVI Z. FERTIG, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual executed the instrument.

This having been signed and sworn to me on the 19th day of March in the year 2014:

DATE:

March 19, 2014


MATTHEW R. COLEMAN
Notary Public, State of New York
No. 01C06202263
Qualified in Nassau County
My term expires on March 16, 2017

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EXHIBIT "A"

3/19/2014

Gmail - FW: TOMORROW: Spring Gala Fundraiser for Frank Scaturro



Matt Coleman <matthewrcoleman@gmail.com>

FW: TOMORROW: Spring Gala Fundraiser for Frank Scaturro

Wed, Mar 19, 2014 at 11:12 AM

To:

From: Kathie Dito [mailto:kathieforscaturro@gmail.com]

Sent: Tuesday, March 18, 2014 4:51 PM

To:

Subject: TOMORROW: Spring Gala Fundraiser for Frank Scaturro

Please join us TOMORROW!

You are cordially invited to a fundraiser for

Frank Scaturro

Republican & Conservative Candidate
for the 4th Congressional District of New York

Tomorrow



Spring into Action

*Join us the night before Spring begins
for an evening of food, fun & lively conversation.
The weather will probably still be cold, but the
2014 Congressional race will definitely be heating up!*

Wednesday, March 19 from 6-10 pm

P Twelve Catering

12 Watkins St, Lynbrook, NY 11563

Guests: \$100 - Host Committee: \$250
includes full-course buffet dinner & full open bar

RSVP : (516) 732-1080
or KathieforScaturro@gmail.com



Paid for by Frank Scaturro for Congress

Donations can be made online, collected at the door (payable to Frank Scaturro for Congress), or mailed to 515 Herricks Road, Suite 4, New Hyde Park, NY 11040.

Many thanks

3/19/2014

Gmail - FW: TOMORROW: Spring Gala Fundraiser for Frank Scaturro

many thanks,
Kathie Dito

<http://www.frankscaturro.com/>

Frank Scaturro for Congress · 515 Hericks Rd, Suite 4, New Hyde Park, NY 11040, United States
This email was sent to [To stop receiving emails, click here.](#)

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EXHIBIT "B"

1400438-10-15



Frank

FOR CONGRESS

Home / ACTION / UPCOMING EVENTS

"SPRING INTO ACTION" FUNDRAISER

POSTED BY KATHIE DITO 63PC ON MARCH 16, 2014

You are cordially invited to a fundraiser for

Frank Scaturro

Republican & Conservative Candidate
for the 4th Congressional District of New York



Spring into Action

*Join us the night before Spring begins
for an evening of food, fun & lively conversation.
The weather will probably still be cold, but the
2014 Congressional race will definitely be heating up!*

Wednesday, March 19 from 6-10 pm

P Twelve Catering

12 Watkins St, Lynbrook, NY 11563

CONTACT

VOLUNTEER

DONATE

Enjoy an evening of food, fun & lively conversation.

Donation includes a full-course buffet dinner including salad, choice of three delicious entrées, dessert, beer, wine, coffee - and full open bar.

Guests: \$100 - Host Committee: \$250

Please RSVP: (516) 732-1080 or Kathieforscaturro@gmail.com

Donations payable in advance by credit or debit card. Click "PURCHASE TICKETS" button below.

Or by check payable to: "Frank Scaturro for Congress" - Pay at door.

Personal contributions only, please. Corporate contributions are prohibited. The maximum contribution per individual is \$5,200 (\$2,600 to the primary election and \$2,600 to the general election). Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year. Contributions by corporations, foreign nationals (non green-card holders), labor unions and federal government contractors are prohibited. Contributions or gifts to Frank Scaturro for Congress are not deductible as charitable contributions for Federal income tax purposes.

WHEN

March 19, 2014 at 6pm - 10pm

WHERE

P Twelve Catering

12 Watkins Pl

Lynbrook, NY 11563

United States

Google map and directions

CONTACT

Kathie Dito · kathieforscaturro@gmail.com · (516) 732-1080

Will you come?

\$100.00 SPRING INTO ACTION

Guest

\$250.00 SPRING INTO ACTION

Host Committee

[Purchase tickets](#)

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Password

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Phone: (516) 515-1102

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